

<p style="text-align: center;">CERTIFICATE OF ELECTRONIC SUBMISSION</p> <p>DATE OF SUBMISSION: <u>December 12, 2006</u></p>

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Timothy A. McKinsey et al.

Serial No.: 10/848,820

Filed: May 19, 2004

For: INHIBITION OF PROTEIN KINASE C-
CARDIAC HYPERTROPHY AND
HEART FAILURE

Group Art Unit: 1614

Examiner: Clark D. Petersen

Atty. Dkt. No.: MYOG:044US

Confirmation No.: 4787

RESPONSE TO RESTRICTION REQUIREMENT DATED OCTOBER 13, 2006

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Commissioner:

This paper is submitted in response to the Restriction Requirement dated October 13, 2006 for which the date for response was November 16, 2006.

A request for a one-month extension of time to respond is included herewith along with the required fee. This one-month extension will bring the due date to December 16, 2006, which is within the six-month statutory period. Should such request or fee be deficient or absent, consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/MYOG:044US/SLH.

In response to the restriction requirement which the Examiner imposed, Applicant elects, without traverse, to prosecute claims 1-18 and 100, *i.e.*, the Group I claims. Applicants further elect A: staurosporine; B: Intravenous administration (claim 3), oral (claim 4) and the same for 14 and 15; C: beta blocker and D: increased cardiac output.

The Examiner is invited to contact the undersigned attorney at (512) 536-3184 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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Date: December 12, 2006